

MEDFORD TOWNSHIP PLANNING BOARD MEETING

July 27, 2022 @ 7:00 p.m.

Public Safety Building-91 Union Street

Chairman Hartwig called the Planning Board Meeting to order at 7:03 p.m. and read the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Law.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Bielec, Braatz, Czekay, Hartwig, Herman, Kornick, Perks, Devlin
Absent: Juliano, Ross, Watson
Professional Staff: Attorney Anthony Drollas, Engineer Christopher Noll, Secretary Kimberly Moore, Recording Secretary Beth Portocalis

EXECUTIVE SESSION: None

MINUTES: June 22, 2022 Regular Meeting Minutes – Ms. Herman made a motion to adopt the meeting minutes. Ms. Bielec seconded the motion. Deputy Mayor Czekay abstained. A voice vote of the remaining Board members in favor of adoption was unanimous.

CORRESPONDENCE:

Chairman Hartwig announced the Eagle Auto Body application listed on the Agenda as continued from the June 2022 meeting would not be heard; and will be rescheduled for the September 24, 2022 meeting pending the receipt of additional revised plans requested by the Board. The applicant will be required to re-notice.

Chairman Hartwig also announced the Auto Zone application listed on the Agenda would not be heard; and will be rescheduled for the September 28, 2022 meeting pending the receipt of revised plans requested by the Board professionals. The applicant will be required to re-notice.

REPORTS: Chairman Hartwig reported that insufficient escrow balances over 6 months will continue to be listed on the monthly agenda. He acknowledged that there are now five escrow balances, which may never be collected, which is unfair to the professionals who are not compensated for services rendered. He thanked Ms. Moore for her continued efforts to collect the arrears.

MEMORIALIZATIONS:

RGMG Holdings, LLC, 2004/11, 6 Chapel Avenue, PBC-527. Resolution #11-2022
Minor Subdivision approvals to subdivide 1 residential lot into 2 residential lots. Zone: RHO

Recorded Vote:

Ayes: Bielec (2), Braatz (M), Hartwig, Herman, Kornick, Perks
Nays: None
Abstentions: None
Motion carried: 6- 0 - 0

APPLICATIONS/OFFICIAL ACTIONS:

Mill Creek Farm, LLC, 304.01/25, 33, 34, 99 and 304.02/5, 20 Haddington Way, PBC-1336AF
Applicant is seeking Minor subdivision approval for lot line adjustments of all of the
aforementioned lots and designation of three (3) open space lots by deed of dedication.

SWORN: Jeffrey Baron, Esq., Baron & Brennan, LLC
Louis Muckenfuss, Mill Creek Farms, LLC, Managing Member-Owner/Applicant
Chad Muckenfuss, Owner/Applicant

Chairman Hartwig opened the application by asking Mr. Baron to summarize the Submission Waiver requests, which were delineated in Mr. Noll's review letter of July 22, 2022. Mr. Noll recommended approval. Chairman Hartwig asked Mr. Baron to explain why the request was made for the certification of taxes paid to date. He and Mr. Louis Muckenfuss explained the situation that the original developer Lexann went into bankruptcy and under the developer's agreements was responsible for payment of property taxes. Attempts were made by both Mr. Louis and Mr. Chad Muckenfuss to pay the taxes on the two open space parcels, but stated on the record the Tax Office would not accept payment from Mill Creek Farms. The applicant has agreed to pay the taxes as a condition of approval, and is in discussions with the Tax Collector on the accrued interest.

Deputy Mayor Czekay made a motion to approve the requested submission waivers. Ms. Herman seconded.

Recorded Vote:

Ayes:	Bielec, Braatz, Czekay, Hartwig, Herman, Kornick, Perks, Devlin
Nays:	None
Abstentions:	None
Motion carried:	8 - 0 - 0

Chairman Hartwig asked Mr. Noll to provide a summary of the Greystone development's history. Mr. Noll went thru the record starting with Planning Board approvals for the subdivision in 2005/2006 on the property that was known as the Muckenfuss farm. Phase I construction commenced in 2007. Due to the recession and other issues, the land that was to be Phase II and Phase III was instead placed into a Farmland Preservation Program. The developer Lexann went into bankruptcy without finishing the subdivision amenities, leading the Township to call the bond to finish Phase I. Before the bond can be released, the three open space lots need to be deeded over to the HOA. The density will still conform to the AR Zone requirements. Mr. Noll noted that the temporary cul-de-sac will be made permanent since Phase II or Phase III will not ever be constructed.

Mr. Baron emphasized that this application was predicated by the developer's failings, not because of any issues caused by the Muckenfuss family. He reiterated that there will be no change to the number of lots, just minor lot line adjustments. These adjustments will not require

the Board to grant any bulk variances, as all existing lots conform to the zone district requirements. Chad Muckenfuss farms the dedicated farmland.

Mr. Baron concluded his remarks by stating that the applicants agree to comply with all comments in Mr. Noll's July 22, 2022 review letter.

Chairman Hartwig concluded by re-stating that the lot line adjustments will not create any new residential lots.

PUBLIC:

Peter Checkanis, Esq., Hyland Levin, LLC; Attorney representing the Greystone HOA. He concurs with Mr. Noll's conditions, and clarified that in Item #10, it is the Open Space lot. Mr. Noll added that he thanks Josh Silverstein and the HOA for their efforts.

Deputy Mayor Czekay made a motion to close the public portion. Ms. Herman seconded. The voice vote in favor was unanimous.

Deputy Mayor Czekay made a motion to approve the application for a minor subdivision as submitted, with all conditions outlined in Mr. Noll's review letter. Ms. Herman seconded the motion.

Recorded Vote:

Ayes:	Bielec, Braatz, Czekay, Hartwig, Herman, Kornick, Perks, Devlin
Nays:	None
Abstentions:	None
Motion carried:	8 - 0 - 0

GENERAL PUBLIC: None present.

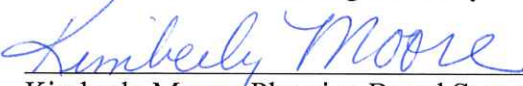
Deputy Mayor Czekay made a motion to close the Public Portion. Ms. Herman seconded. The voice vote was unanimous in favor.

ADJOURNMENT:

Deputy Mayor Czekay made a motion to adjourn the July 27, 2022 Planning Board Regular Meeting at 7:35 pm. Ms. Herman seconded. A unanimous voice vote in favor carried the motion.



Beth Portocalis, Recording Secretary



Kimberly Moore, Planning Board Secretary